REMARKS / ARGUMENTS

Claims 1 and 2 have been amended, and new Claim 28 has been added; therefore, Claims 1-28 are pending. Applicant has carefully considered the application in view of the Examiner's action and, in light of the foregoing amendments and the following remarks, respectfully requests reconsideration and full allowance of all pending claims.

As a preliminary matter, Claim 2 has been amended to correct a typographical error, without adding any new matter to the application.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,009,436 to Motoyama et al. (hereinafter "*Motoyama*") in view of U.S. Patent No. 6,901,403 to Bata et al. (hereinafter "*Bata*"). Claims 2-7 and 9-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Motoyama* in view of *Bata* in further view of Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 (hereinafter "*FrontPage*"). Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Motoyama* in view of *Bata*, *FrontPage*, and in further view of U.S. Patent No. 5,574,898 to Leblang et al. (hereinafter "*Leblang*"). In response, Applicant has amended independent Claim 1 such that it now more clearly distinguishes, and is patentable over the cited references.

Specifically, and in addition to the Remarks and Arguments set forth in the responses of March 20, 2008, and January 26, 2009, independent Claim 1 has been amended to more particularly point out and distinctly claim one of the distinguishing characteristics of the present invention, namely, that the <u>steps of downloading, parsing, and storing are performed by a processor</u>. It is considered that, upon a review of the specification and drawings of the present patent application by a person having ordinary skill in the art, the review including, by way of example but not limitation, the Abstract, paragraph [0002], Figure 1 which exemplifies the invention as comprising two servers performing the steps of the invention, paragraphs [0107] – [0113] which exemplify performance of the step of downloading without an "interactive user", and paragraphs [0098] and [0114] – [0120] combined with Figure 12 which exemplify the performance of the steps of parsing and storing without an "interactive user", that it would be apparent that the steps of downloading, parsing, and storing are performed by a processor, and therefore, that no new matter has been added to the application.

This distinguishing characteristic provides Applicant's invention with numerous advantages not seen in the cited references. For example, it automates the processing of a markup language file having one or more portions.

Motoyama has been cited as fully disclosing Applicant's invention, except merely for the teaching that the markup language file contains arbitrarily named tags tag names and wherein the directory structure storing the markup language file contains folders, subfolders, and files, complying with the structure of the first markup language file, wherein each of the folders and subfolders depend from the tag names in the markup language file, for which *Bata* was cited. *Motoyama*, however, fails to either teach or suggest steps of downloading, parsing, and storing performed by a processor, as recited by Applicant in Claim 1, as amended. In clear contrast to Applicant, *Motoyama* requires interactive input from a user for mapping a first structured information format to a second structured information format (see, *e.g.*, the Abstract, Claim 1), including "downloading …" (col. 16, lines 1-15, "displays file name that user selects for opening", "allows user to approve" or "request") and "parsing …" (col. 11, lines 28-32, "output from the SGML Parser 202 to be utilized as input to a Map Editor 208, along with an interactive User 210 input").

Still further, *Bata* fails to cure the aforementioned deficiencies of *Motoyama* with respect to Applicant's claimed invention because *Bata* teaches the conversion of database tables to the XML format, but Applicant claims the conversion of XML to directories containing folders, subfolders, and files. Therefore, it is respectfully submitted that it would not be proper to combine *Bata* with *Motoyama* against Applicant's invention as claimed.

In view of the foregoing, it is apparent that none of the cited references, either singularly or in any combination, teach, suggest, or render obvious the unique combination now recited in independent Claim 1, namely, that the steps of downloading, parsing, and storing are performed by a processor, not interactively by a user. It is therefore respectfully submitted that Claim 1 clearly and precisely distinguishes over the cited combinations of references in a patentable sense, and is therefore allowable over those references and the remaining references of record. Accordingly, it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. § 103(a) as being unpatentable over *Motoyama* in view of *Bata* be withdrawn.

Claims 2-27 depend from and further limit independent Claim 1, in a patentable sense, and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-27 be withdrawn, as well.

New Claim 28 is a system claim analogous to Claim 1. It is clear from the title and Abstract, among many other places in Applicant's Application, that Applicant intended his invention to encompass a system as well as a method. Therefore, Claim 28 adds no new matter to the application. Still further, for the reason that Claim 28 is analogous to Claim 1, and the other reasons set forth above, Claim 28 is also deemed to be in condition for allowance.

Applicant has reviewed the prior art made of record and not relied on, and has concluded that this art does not prejudice the patentability of the invention as defined by the present claims. For this reason and the reason that they have not been applied against Applicant's claims, no further discussion of them is deemed necessary.

Applicant hereby requests, under the provisions of 37 CFR 1.136(a), a one-month extension of time in the period for filing a reply in the above-identified application to an Office Action, having a mailing date of March 17, 2009. Payment of the small entity fees required under 37 CFR 1.17(a) is being made with the filing of this paper. Applicant does not believe any other fees are due in connection with the filing of this paper; however, in the event that such payment is absent, insufficient, or unacceptable, or any other fees are required, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper, to Deposit Account No. 50-2032 of Scheef & Stone, L.L.P.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-28 so that the application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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